

Date: **February 6, 2007**

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Agenda Item No. 8(P)(1)(C)

Subject: Resolution Accepting an Implied Offer of Dedication for a Portion of NW 11 Street Lying Between NW 72 Avenue and 650 Feet West of NW 72 Avenue in Government Lot 2 Between Township 53 and 54 South, Range 40 East, Miami-Dade County, Florida

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution for the acceptance of an implied offer of dedication for a portion of NW 11 Street, lying between NW 72 Avenue and 650 feet west of NW 72 Avenue in Government Lot 2, between Township 53 and 54 South, Range 40 East, Miami-Dade County, Florida, as described in Exhibit "A" and illustrated in Exhibit "B" attached and made a part hereof.

BACKGROUND

At the time that Herman Wolfson, Pauline Wolfson, Lester W. Sodowich and Helen Sodowich, conveyed their property, they expressed an implied offer to dedicate the North 10.00 feet of the said property for Road purposes as delineated in Exhibit "B" in a Warranty Deed dated September 23, 1974, and recorded in Official Record Book 8788, Page 1564, of the Public Records of Miami-Dade County, Florida. That deed made reference and is subject to a "Right-of-Way Deed dated February 8, 1973, executed by Prime Equities Inc. in favor of (Miami-) Dade County" however, the said Right-of-Way Deed was not found on the Public Records of Miami-Dade County. This oversight was discovered by the Public Works Department Right-of-Way Division in the course of its regular duties related to a road construction project in this area.

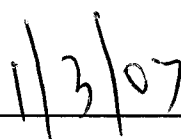
There is no information in the Public Records that would revoke or otherwise impair the implied offer of dedication. In order to protect the public's road easement, the Public Works Department recommends the acceptance of this right-of-way dedication.

FISCAL IMPACT

There is no fiscal impact associated with this item.



Assistant County Manager



Date



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 6, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 8(P)(1)(C)

Please note any items checked.

_____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

_____ No committee review

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 8(P)(1)(C)

02-06-07

RESOLUTION NO. _____

RESOLUTION ACCEPTING AN IMPLIED OFFER OF DEDICATION FOR A PORTION OF NW 11 STREET LYING BETWEEN NW 72 AVENUE AND 650 FEET WEST OF NW 72 STREET IN GOVERNMENT LOT 2, BETWEEN TOWNSHIP 53 AND 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, upon consideration of the Public Works Department's recommendation, the Board of County Commissioners of Miami-Dade County, Florida, finds and determines that the acceptance of this dedication is in the public's best interest,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby approves and accepts this implied offer of dedication, as described in Exhibit "A" and illustrated in the location map in Exhibit "B", and authorizes and directs the Public Works Department Director to cause this Resolution to be filed for record among the Public Records of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this
6th day of February, 2007. This resolution shall become effective ten (10) days after the
date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only
upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency: _____

Thomas Goldstein

LEGAL DESCRIPTION
(FEE SIMPLE)

The North 10.00 feet of Lots 1, 2, 3 and 48 of Block 2, WOOD FARMS, according to the plat thereof recorded in Plat Book 43 at Page 49 of the Public Records of Miami-Dade County, Florida.

AND

All that part of said Lot 48 which lies within the external area formed by a 25 foot radius arc concave to the Southwest, tangent to the South line of the North 10.00 feet of said Lot 48, and tangent to the East line of said Lot 48.

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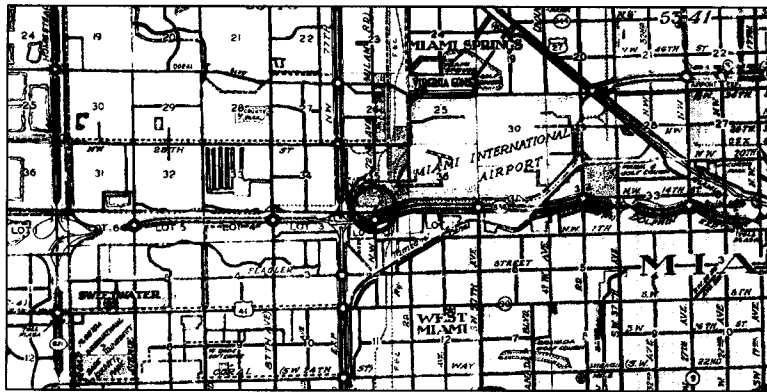
EXHIBIT "A"

EXHIBIT "B"

GOV' T LOT 02

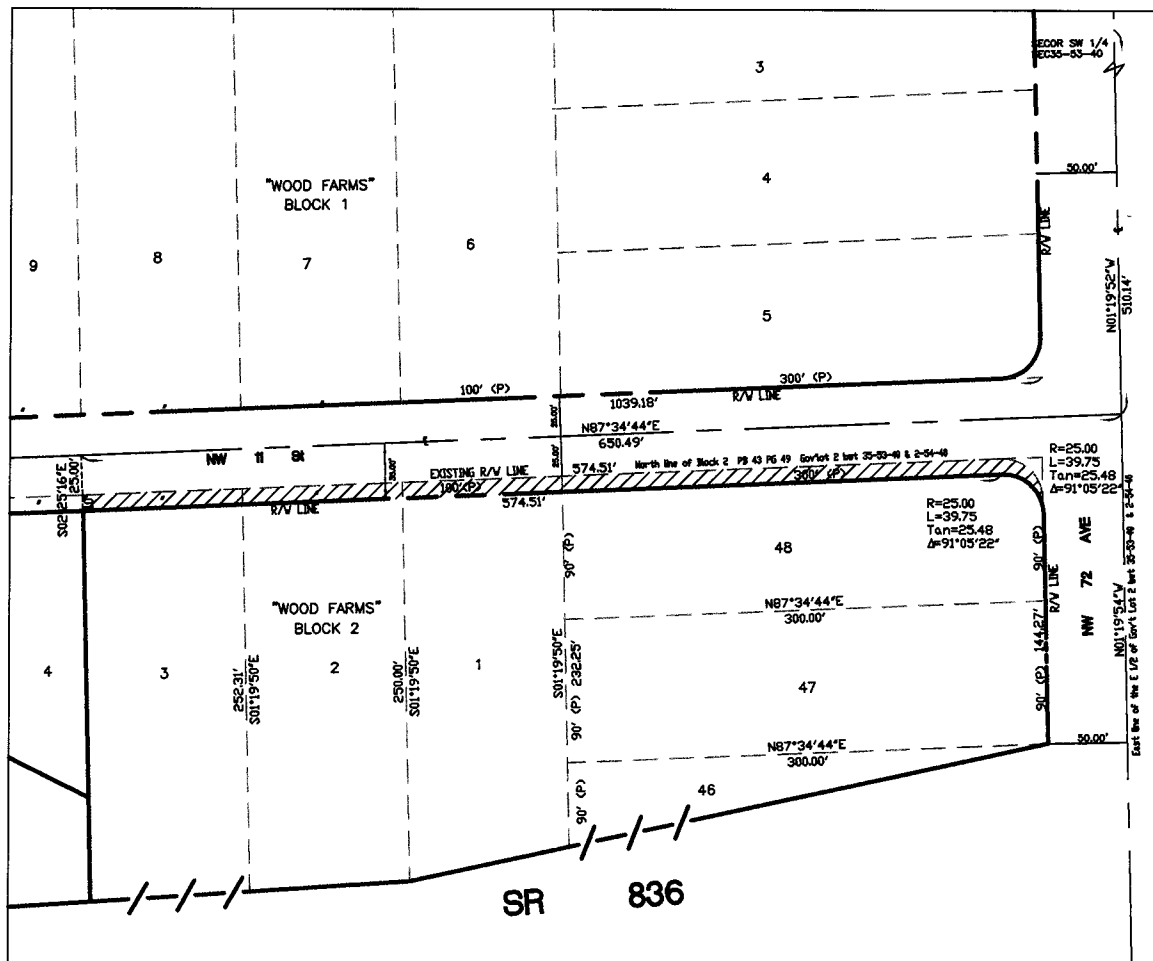
BET 53 & 54 S

RGE 40 E



LOCATION MAP

Not to Scale



NW 72 AVENUE and NW 11 STREET



Road Right-of-Way to be accepted

SCALE 1" = 120'

THIS IS NOT A SURVEY